

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CRIMINAL NO. 1:06CR267

UNITED STATES OF AMERICA)
)
)
VS.) ORDER
)
)
ANTHONY TYRONE MORRIS)
)
_____)

THIS MATTER is before the Court *sua sponte*.

Defendant's sentence was reduced to 105 months pursuant to the Government's Rule 35 Motion on February 27, 2009. **See Amended Judgment in a Criminal Case, filed March 2, 2009.** On May 20, 2009, the Probation Office filed a Supplement to the Defendant's presentence report pursuant to the Crack Cocaine Guideline Amendment. **Supplement to the Presentence Report, filed May 20, 2009.** The Probation Office advises that due to Defendant's conviction for a violation of 18 U.S.C. § 922(g), his sentence should remain unchanged. ***Id. at 2.*** Because this recommendation is adverse to the Defendant, the Court will require a response from counsel.

IT IS, THEREFORE, ORDERED that Defendant's counsel file response to the Supplement to the Presentence Report within 45 days from entry of this Order.

Signed: May 21, 2009



Lacy H. Thornburg
United States District Judge

